

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MATTHEW MAROTTO, on behalf of himself,
all others similarly situated, and the general
public,

Plaintiff,

v.

KELLOGG COMPANY, KELLOGG SALES
COMPANY, PRINGLES LLC, and PRINGLES
MANUFACTURING COMPANY,

Defendants.

Case No. 1:18-cv-3545-AKH

The Honorable Alvin K. Hellerstein

**JOINT REQUEST FOR
ADJOURNMENT OF JANUARY 3,
2020 STATUS CONFERENCE**

*Conf is adjourned
until 1/17/20 @ 10:00 am
x ALK [Signature]
12-13-19*

The parties jointly request that the Court continue the status conference scheduled for January 3, 2020 until the week of January 13, 2020.

Pursuant to the Court's individual rules, the parties state as follows:

(i) The Court has scheduled a status conference for January 3, 2020 to discuss the status of the case following the denial of Plaintiff's motion for class certification. (ECF No. 50.)

(ii) Plaintiff previously requested a sixty-day extension of his deadline to oppose Defendants' motion to dismiss, transfer, or stay this case and an adjournment of the August 10, 2018 status conference, which was granted. (ECF No. 15.) Defendants previously requested an adjournment of the October 5, 2018 status conference, which was granted. (ECF No. 21.) Defendants also requested an adjournment of the January 18, 2019 status conference, which was granted. (ECF No. 31.) The parties jointly requested a continuance of the deadlines to oppose Plaintiff's class certification motion, complete expert discovery, and serve requests for admission, which was granted. (ECF No. 43.) The parties then jointly requested a continuance of the

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/13/19

deadlines to file opposition and reply briefs in connection with Plaintiff's class certification motion, which was granted. (ECF No. 45.)

(iii) See (ii).

(iv) The parties agree that the Court should adjourn the status conference from January 3, which is not convenient for either party's counsel, until a date the week of January 13, which is significantly more convenient for both parties' counsel.

(v) The adjournment would result in the continuance of the status conference from January 3, 2020 until a date during the week of January 13, 2020. It would not affect any other pending deadlines in this case.

* * *

Accordingly, the parties respectfully request that the Court grant their joint motion to adjourn the status conference scheduled for January 3, 2020 until a date during the week of January 13, 2020.

Dated: December 12, 2019

JENNER & BLOCK LLP

By: /s/ Elizabeth A. Edmondson

Elizabeth A. Edmondson
Attorney for Defendants
Jenner & Block LLP
919 Third Avenue
New York, NY 10222
Telephone: (212) 891-1606
Email: eedmondson@jenner.com

Dated: December 12, 2019

SACKS WESTON DIAMOND LLC

By: /s/ John K. Weston (with permission)¹

John K. Weston
Attorney for Plaintiff
Sacks Weston Diamond LLC
1845 Walnut Street, Suite 1600
Philadelphia, PA 19103
Telephone: (215) 523-6900
Email: jweston@sackslaw.com

SO ORDERED:

Dated: _____, 2019

By: _____
The Honorable Alvin K. Hellerstein
United States District Judge

¹ Pursuant to Rule 8.5(b) of the Southern District of New York's Electronic Case Filing Rules and Instructions, I, Elizabeth A. Edmondson, attest that I have obtained the consent of Plaintiff's counsel, John Weston, to use his electronic signature on this Joint Request.